

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA	)	
	)	
v.	)	CRIMINAL NO. 04-40004-NMG
	)	
MICHELLE CARPENTIER	)	

ASSENTED-TO MOTION TO CONTINUE RULE 11 HEARING

Defendant, Michelle Carpentier, respectfully moves that the Court briefly continue the Rule 11 Hearing in this matter, now scheduled for May 11, 2004, to a date convenient to the Court but no earlier than June 1, 2004. As reasons for this request, the defendant states the following:

1. Defendant has indicted her desire to plead guilty to the one count of the indictment.
2. Defense counsel was on trial before Judge Lindsay in United States v. Edward Pierre, No. 02-10221-RCL from April 26 through May 7, 2004. Defense counsel was thus unable to conclude negotiations in this matter and prepare the defendant for the Rule 11 hearing prior to the presently scheduled hearing date of May 11, 2004.
3. Moreover, counsel is the Federal Defender Office duty attorney for the day on May 11, 2004.
4. The defendant remains on personal recognizance after appearing before Magistrate Judge Swartwood pursuant to a summons. Pretrial Services has not reported any violations of defendant's release conditions. The parties anticipate a joint recommendation of probation at sentencing.
5. The government assents to this motion.
6. Counsel for the government is scheduled to begin trial in Boston before Judge Lindsay on May 17, 2004. That matter is expected to last two weeks.

7. The parties agree that the period of time commencing with the filing of this motion and concluding on the date of the defendant's guilty plea is excludable under the Speedy Trial Act.

WHEREFORE, the defendant respectfully requests that this Court continue her Rule 11 hearing to June 1, 2004 or a date as soon thereafter as is convenient to the Court.

MICHELLE CARPENTIER  
By Her Attorney,

/s/ Timothy G. Watkins  
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